

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	1	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA*	US-1,920,821	08-01-1933	Stephanus Wassenaar Jan Jacob	
	AB*	US-2,486,303	10-25-1949	Longfellow	
	AC*	US-2,494,229	01-10-1950	Wollpert et al.	
	AD*	US-2,695,688	11-30-1954	Wollpert et al.	
	AE*	US-20010037112	11-01-2001	Brace et al.	
	AF*	US-20020022843	02-21-2002	Michelson	
	AG*	US-20020045897	04-18-2002	Dixon et al.	
	AH*	US-20020045898	04-18-2002	Freid et al.	
	AI*	US-20020055741	05-09-2002	Schlapfer et al.	
	AJ*	US-20020058939	05-16-2002	Wagner et al.	
	AK*	US-20020058940	05-16-2002	Frigg et al.	
	AL*	US-20020143336	10-03-2002	Hearn	
	AM*	US-20020151899	10-17-2002	Bailey et al.	
	AN*	US-20020156474	10-24-2002	Wack et al.	
	AO*	US-20020183754	12-05-2002	Michelson	
	AP*	US-20020183757	12-05-2002	Michelson	
	AQ*	US-20020188296	12-12-2002	Michelson	
	AR*	US-20030023242	01-30-2003	Harrington	
	AS*	US-20030040749-A1	02-27-2003	Grabowski et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	DE-4201043	01-17-1992	Ulrich, Heinrich		
	BB	EP-0897697	02-24-1999	Spinal Innovations		
	BC	FR-2827150	01-17-2003	LDR MEDICAL		
	BD	WO-00064359	11-02-2000	Harrington, James et al.		
	BE	WO-02085226	10-31-2002	Rapp, Lawrence G.		
	BF	WO-03063714	08-07-2003	Spinal Concepts, Inc.		

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

<b>IDS (Citation) by Applicant (172 References)</b>	
I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4).	
Dated: September 10, 2009	Electronic Signature for Christina M. Sperry: /Christina M. Sperry/Reg. No. 47,106

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AS/

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	2	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AT*	US-20030045880	03-06-2003	Michelson	
	AU*	US-20030060828	03-27-2003	Michelson	
	AV*	US-20030083658-A1	05-01-2003	Hawkes et al.	
	AW*	US-20030135213	07-17-2003	LeHuec et al.	
	AX*	US-20030181912	09-25-2003	Michelson	
	AY*	US-20030187440	10-02-2003	Richelsoph et al.	
	AZ*	US-20030187442	10-02-2003	Richelsoph et al.	
	AA1*	US-20030208204-A1	11-06-2003	Bailey et al.	
	AB1*	US-20040015169	01-22-2004	Gause	
	AC1*	US-20040019353-A1	01-29-2004	Freid et al.	
	AD1*	US-20040034352	02-19-2004	Needham et al.	
	AE1*	US-20040034354	02-19-2004	Paul	
	AF1*	US-20040087951	05-06-2004	Khalili	
	AG1*	US-20040097935	05-20-2004	Richelsoph et al.	
	AH1*	US-20040133205	07-08-2004	Thramann et al.	
	AI1*	US-3,244,170	04-05-1966	McElvenny, Robert T.	
	AJ1*	US-3,463,148	08-26-1969	Allgower et al.	
	AK1*	US-3,552,389	01-05-1971	Allgower et al.	
	AL1*	US-3,596,656	08-03-1971	Kaute et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				
	BG	WO-96032071	10-17-1996	Fastenetix, L.L.C.		

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	3	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AM1*	US-3,659,595	05-02-1972	Haboush	
	AN1*	US-3,695,259	10-03-1972	Yost	
	AO1*	US-3,716,050	02-13-1973	Johnston	
	AP1*	US-3,779,240	12-18-1973	Kondo et al.	
	AQ1*	US-3,824,995	07-23-1974	Getscher et al.	
	AR1*	US-3,900,025	08-19-1975	Barnes, Jr.	
	AS1*	US-4,119,092	10-10-1978	Gil et al.	
	AT1*	US-4,187,841	02-12-1980	Knutson	
	AU1*	US-4,219,015	08-26-1980	Steinemann et al.	
	AV1*	US-4,224,699	09-30-1980	Weber et al.	
	AW1*	US-4,408,601	10-11-1983	Wenk et al.	
	AX1*	US-4,454,876	06-19-1984	Mears	
	AY1*	US-4,493,317	01-15-1985	Klaue et al.	
	AZ1*	US-4,503,848	03-12-1985	Caspar et al.	
	AA2*	US-4,513,744	04-30-1985	Klaue et al.	
	AB2*	US-4,524,765	06-25-1985	de Zbikowski et al.	
	AC2*	US-4,651,724	03-24-1987	Berentey et al.	
	AD2*	US-4,773,402	09-27-1988	Asher et al.	
	AE2*	US-4,800,874	01-31-1989	David et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	4	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AF2*	US-4,838,252	06-13-1989	Klaue et al.	
	AG2*	US-4,936,844	06-26-1990	Chandler et al.	
	AH2*	US-5,002,544	03-26-1991	Klaue et al.	
	AI2*	US-5,006,120	04-09-1991	Carter	
	AJ2*	US-5,041,113	08-20-1991	Biedermann et al.	
	AK2*	US-5,041,114	08-20-1991	Chapman et al.	
	AL2*	US-5,041,133	08-20-1991	Sayano et al.	
	AM2*	US-5,053,036	10-01-1991	Perren et al.	
	AN2*	US-5,067,477	11-26-1991	Santangelo	
	AO2*	US-5,129,899	07-14-1992	Small et al.	
	AP2*	US-5,129,903	07-14-1992	Luhr et al.	
	AQ2*	US-5,147,361	09-15-1992	Ojima et al.	
	AR2*	US-5,151,103	09-29-1992	Tepic et al.	
	AS2*	US-5,234,290	08-10-1993	Collins	
	AT2*	US-5,275,601	01-04-1994	Gogolewski et al.	
	AU2*	US-5,318,567	06-07-1994	Vichard et al.	
	AV2*	US-5,324,290	06-28-1994	Zdeblick et al.	
	AW2*	US-5,336,224	08-09-1994	Selman	
	AX2*	US-5,364,399	11-15-1994	Lowery et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with a single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	5	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AY2*	US-5,415,660	05-16-1995	Campbell et al.	
	AZ2*	US-5,439,463	08-08-1995	Lin	
	AA3*	US-5,501,684	03-26-1996	Schlapfer et al.	
	AB3*	US-5,520,690	05-28-1996	Errico et al.	
	AC3*	US-5,531,746	07-02-1996	Errico et al.	
	AD3*	US-5,534,027	07-09-1996	Hodorek	
	AE3*	US-5,549,612	08-27-1996	Yapp et al.	
	AF3*	US-5,578,034	11-26-1996	Estes	
	AG3*	US-5,601,553	02-11-1997	Trebing et al.	
	AH3*	US-5,607,426	03-04-1997	Ralph et al.	
	AI3*	US-5,607,428	03-04-1997	Lin	
	AJ3*	US-5,616,142	04-01-1997	Yuan et al.	
	AK3*	US-5,616,144	04-01-1997	Yapp et al.	
	AL3*	US-5,643,265	07-01-1997	Errico et al.	
	AM3*	US-5,651,283	07-29-1997	Runciman et al.	
	AN3*	US-5,672,177	09-30-1997	Seldin	
	AO3*	US-5,713,904	02-03-1998	Errico et al.	
	AP3*	US-5,735,853	04-07-1998	Olerud et al.	
	AQ3*	US-5,749,873	05-12-1998	Fairley et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> ( <i>if known</i> )				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	6	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AR3*	US-5,807,396	09-15-1998	Raveh	
	AS3*	US-5,827,286	10-27-1998	Incavo et al.	
	AT3*	US-5,865,848	02-02-1999	Baker	
	AU3*	US-5,876,402	03-02-1999	Errico et al.	
	AV3*	US-5,885,286	03-23-1999	Sherman et al.	
	AW3*	US-5,888,204	03-30-1999	Ralph et al.	
	AX3*	US-5,904,683	05-18-1999	Pohndorf et al.	
	AY3*	US-5,931,838	08-03-1999	Vito	
	AZ3*	US-5,951,558	09-14-1999	Fiz et al.	
	AA4*	US-5,954,722	09-21-1999	Bono	
	AB4*	US-5,964,762	10-12-1999	Biedermann et al.	
	AC4*	US-5,964,763	10-12-1999	Incavo et al.	
	AD4*	US-5,967,171	10-19-1999	Dwyer, Jr.	
	AE4*	US-5,984,926	11-16-1999	Jones	
	AF4*	US-6,006,581	12-28-1999	Holmes	
	AG4*	US-6,017,345	01-25-2000	Richelsoph	
	AH4*	US-6,030,389	02-29-2000	Wagner et al.	
	AI4*	US-6,039,740	03-21-2000	Olerud et al.	
	AJ4*	US-6,063,090	05-16-2000	Schlapfer et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	7	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AK4*	US-6,066,175	05-23-2000	Henderson et al.	
	AL4*	US-6,106,527	08-22-2000	Wu et al.	
	AM4*	US-6,117,173	09-12-2000	Taddia et al.	
	AN4*	US-6,132,432	10-17-2000	Richelsoph	
	AO4*	US-6,139,550	10-31-2000	Michelson	
	AP4*	US-6,152,927	11-28-2000	Farris et al.	
	AQ4*	US-6,159,244	12-12-2000	Suddaby	
	AR4*	US-6,200,348	03-13-2001	Biedermann et al.	
	AS4*	US-6,206,881	03-27-2001	Frigg et al.	
	AT4*	US-6,224,602	05-01-2001	Hayes	
	AU4*	US-6,227,124	05-08-2001	Gaydos et al.	
	AV4*	US-6,228,085	05-08-2001	Theken et al.	
	AW4*	US-6,241,731	06-05-2001	Fiz et al.	
	AX4*	US-6,258,092	07-10-2001	Dall et al.	
	AY4*	US-6,258,098	07-10-2001	Taylor et al.	
	AZ4*	US-6,261,291	07-17-2001	Talaber et al.	
	AA5*	US-6,273,889	08-14-2001	Richelsoph	
	AB5*	US-6,277,124	08-21-2001	Haag	
	AC5*	US-6,293,949	09-25-2001	Justis et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	8	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AD5*	US-6,306,136	10-23-2001	Bacelli	
	AE5*	US-6,309,393	10-30-2001	Tepic et al.	
	AF5*	US-6,322,562	11-27-2001	Wolter et al.	
	AG5*	US-6,328,738	12-11-2001	Suddaby	
	AH5*	US-6,331,179	12-18-2001	Freid et al.	
	AI5*	US-6,342,055	01-29-2002	Eisermann et al.	
	AJ5*	US-6,402,756	06-11-2002	Ralph et al.	
	AK5*	US-6,413,259	07-02-2002	Lyons et al.	
	AL5*	US-6,428,542	08-06-2002	Michelson	
	AM5*	US-6,441,602	08-27-2002	Eckhardt et al.	
	AN5*	US-6,503,250	01-07-2003	Paul	
	AO5*	US-6,527,776	03-04-2003	Michelson	
	AP5*	US-6,545,769	04-08-2003	Collard et al.	
	AQ5*	US-6,575,975	06-10-2003	Brace et al.	
	AR5*	US-6,585,738	07-01-2003	Mangione et al.	
	AS5*	US-6,592,586	07-15-2003	Michelson	
	AT5*	US-6,595,993	07-22-2003	Donno et al.	
	AU5*	US-6,602,255	08-05-2003	Campbell et al.	
	AV5*	US-6,602,257	08-05-2003	Thramann	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.



PTO/SB/08a (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	9	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AW5*	US-6,620,163	09-16-2003	Michelson	
	AX5*	US-6,652,525	11-25-2003	Assaker et al.	
	AY5*	US-6,656,181	12-02-2003	Dixon et al.	
	AZ5*	US-6,669,700	12-30-2003	Farris et al.	
	AA6*	US-6,679,883	01-20-2004	Hawkes et al.	
	AB6*	US-6,695,846	02-24-2004	Richelsoph et al.	
	AC6*	US-6,755,833	06-29-2004	Paul et al.	
	AD6*	US-6,793,658	09-21-2004	LeHuec et al.	
	AE6*	US-6,796,986	09-28-2004	Duffner	
	AF6*	US-7,147,599	12-12-2006	Phillips et al.	
	AG6*	US-RE28841	06-08-1976	Allgower et al.	
	AH6*	US-RE31628	07-10-1984	Allgower et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08b (07-09)

Approved for use through 07/31/2012. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449/PTO				<b>Complete if Known</b>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Application Number	10/776,414-Conf. #2408
				Filing Date	February 11, 2004
				First Named Inventor	Jonathan Fanger
				Art Unit	3774
				Examiner Name	A. J. Stewart
Sheet	10	of	10	Attorney Docket Number	101896-0239 (DEP5150CIP)

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Cervi-Lok™ Surgical Technique Manual (pp. 1-19), 1995 SPINETECH Inc.®, L1015 Revision B	

Examiner Signature	/Alvin Stewart/	Date Considered	10/08/2009
-----------------------	-----------------	--------------------	------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

1857809.1

ALL REFERENCES CONSIDERED EXCEPT WHERE LINED THROUGH. /AS/